IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CHARLES SWIFT, and ARNETTA SWIFT,	)))	8:16CV53
Plaintiffs,	))	
v.	)))	**MEMORANDUM AND ORDER**
HUBER JUDGE, TIM DUNNING, SHERIFF OF DOUGLAS COUNTY, JUDGE BOWIE, CLAUDIA MCNIGHT, and FOXALL, director of Douglas County Correctional,	))))))	
Defendants.	))	

This matter is before the court on its own motion. Plaintiff Arnetta Hill Swift and Charles Swift filed a Complaint (Filing No. 1) on January 29, 2016. Charles Swift submitted a request for leave to proceed in forma pauperis ("IFP"), but Arnetta Hill Swift did not. Further, she did not pay the $400.00 filing and administrative fees.

Arnetta Hill Swift has the choice of either submitting the $400.00 filing and administrative fees to the clerk's office or submitting a request to proceed in forma pauperis.[1] Failure to take either action within 30 days will result in the court terminating Arnetta Hill Swift as a plaintiff in this case.

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[1]If Arnetta Hill Swift is granted leave to proceed in forma pauperis ("IFP") in this matter, she will be required to pay the court's $350 filing fee in installments. *See* 28 U.S.C. § 1915(b)(1); *In re Tyler*, 110 F.3d 528, 529-30 (8th Cir. 1997). She would not be subject to the $50.00 administrative fee assessed to non-IFP plaintiffs.

IT IS THEREFORE ORDERED that:

1.   Arnetta Hill Swift is directed to submit the $400.00 fees to the clerk's office or submit a request to proceed in forma pauperis within 30 days. Failure to take either action will result in the court terminating her as a plaintiff in this case.

2.   The clerk of the court is directed to send to Arnetta Hill Swift the Form AO240 ("Application to Proceed Without Prepayment of Fees and Affidavit").

3.   The clerk of the court is directed to set a pro se case management deadline in this matter with the following text: March 3, 2016: Check for MIFP or payment.

DATED this 3rd day of February, 2016.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge